

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
MARCH 23, 2015

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of March was called to order by Acting Mayor Dale Williams at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, March 23, 2015, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, Ryan Hutchinson, Brian Krenz, and Dale Williams. Absent: Mayor Mike Poellinger - excused. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

Acting Mayor Williams asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

**ITEM 1 – CONSENT AGENDA**

At this time, Acting Mayor Williams read the following items to be considered as part of the Consent Agenda, including additional bills, for this regular meeting:

- 1.1 MINUTES – MARCH 9, 2015
- 1.2 BILLS PAYABLE THROUGH MARCH 19, 2015
- 1.3 CASH BALANCE/ACTIVITY REPORT – FEBRUARY 2015
- 1.4 LIBRARY REPORT – FEBRUARY 2015

At the conclusion of the reading of the Consent Agenda, Acting Mayor Williams asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Hutchinson, as follows:

**A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.1 – CELL TOWER LEASE/PURCHASE PROPOSALS**

City Administrator Waller reviewed with City Council the four proposals regarding the cell tower that is located on a parcel of property that the City owns at 531 South 14<sup>th</sup> Street. The four proposals were as follows:

- 1. Landmark Dividend - \$368,238.80 for a perpetual easement. In addition, any future rent from new carriers to the site will be shared equally between Landmark Dividend and the City of La Crescent.

2. Tower Capital Advisors - \$355,000.00 for a perpetual easement.
3. Tower Point Capital - \$326,944.95 for a perpetual easement. In addition, the City would receive 75% of any future rent from a new carrier to the site.
4. Wireless Capital Partners - \$300,000.00 for a 30 year assignment of the lease, and \$318,000.00 for a 99 year assignment of the lease. In addition, the City would receive 100% of any future revenue from a new carrier to the site, or the option for an additional payment of \$50,000.00.

It was recommended to Council to accept the proposal submitted by Landmark Dividend in the amount of \$368,238.80 and authorize the City Attorney to finalize the closing documents. It was suggested that the City Council consider the following uses for the proceeds:

1. Call the bonds for the golf course, and prepay the outstanding debt, which is \$190,000.00. The bonds at the golf course are not set to be retired until 2021.
2. Call the bonds for the ice arena, and prepay one-half of the outstanding debt, which would be \$142,500.00. The other one-half of the debt for the ice arena will be paid by Lancer Youth Hockey. The bonds at the ice arena are not set to be retired until 2022.
3. The balance of the funds, which would be approximately \$35,700.00, could be used to start a fund for repair and maintenance items at the ice arena.

Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

**MOTION TO ACCEPT THE PROPOSAL REGARDING THE CELL TOWER THAT IS LOCATED ON A PARCEL OF PROPERTY THAT THE CITY OWNS AT 531 SOUTH 14<sup>TH</sup> STREET SUBMITTED BY LANDMARK DIVIDEND IN THE AMOUNT OF \$368,238.80 WHICH INCLUDES THAT ANY FUTURE RENT FROM NEW CARRIERS TO THE SITE WILL BE SHARED EQUALLY BETWEEN LANDMARK DIVIDEND AND THE CITY OF LA CRESCENT AND TO AUTHORIZE THE CITY ATTORNEY TO FINALIZE THE CLOSING DOCUMENTS.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

It was also the consensus of City Council to clarify that this would be a 99 year termination and that Council should be updated as to the progress of the closing.

### **ITEM 3.2 – TENNIS COURT BID RESULTS**

City Administrator Waller reviewed with City Council the bid results for the tennis court improvement project. The funding available for this project is approximately \$295,000.00 and when the project was bid in the summer of 2014 the low bid was approximately \$448,000.00. The total bid presented for consideration by the Council at this meeting was \$355,201.03. It was recommended to Council to reject all of the bids that were

received for the tennis court improvement project and to authorize the City Engineer to review and revise the plans and specifications, and authorize that the project be bid once the review and revisions are completed. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO REJECT ALL OF THE BIDS THAT WERE RECEIVED FOR THE TENNIS COURT IMPROVEMENT PROJECT.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

Following further discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO AUTHORIZE THE CITY ENGINEER TO REVIEW AND REVISE THE PLANS AND SPECIFICATIONS FOR THE TENNIS COURT IMPROVEMENT PROJECT, AND AUTHORIZE THAT THE PROJECT BE BID ONCE THE REVIEW AND REVISIONS ARE COMPLETED.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.3 – HIRING RECOMMENDATION – POLICE OFFICER**

La Crescent Police Chief Doug Stavenau gave an overview regarding a candidate he would like to recommend for hiring to fill the full-time peace officer employment vacancy. The applicant is Ryan Quanrud who is currently employed as a full-time Minnesota licensed police officer for a local agency. Based on Mr. Quanrud's qualifications, training experience, full-time employment and overall licensed and volunteer law enforcement employment history, it was suggested that he start at Step 2 in the union contract. The conditional offer of employment would be completed upon a successful background investigation and drug screening. The offer would be pursuant to the terms and conditions of the union contract, serving a twelve (12) month probationary period. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE THE HIRING OF RYAN QUANRUD FOR THE FULL-TIME PEACE OFFICER POSITION IN THE LA CRESCENT POLICE DEPARTMENT AT STEP 2 OF THE UNION CONTRACT WITH A TWELVE (12) MONTH PROBATIONARY PERIOD AND SUBJECT TO A SUCCESSFUL BACKGROUND INVESTIGATION AND DRUG SCREENING.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.4 – MONTE CARLO ROAD RESOLUTION**

City Attorney Wieser reviewed with City Council a Resolution declaring the Monte Carlo Road as minimum maintenance road. This road is used occasionally or intermittently for passenger or commercial travel and will allow the City to expand the area purchased to allow for pedestrian and bike traffic in the future.

After discussion, Member Hutchinson introduced the following resolution and moved its passage and adoption:

#### **RESOLUTION NO. 03-15-06**

#### **A RESOLUTION DESIGNATING THE MONTE CARLO ROAD IN THE CITY OF LA CRESCENT A MINIMUM MAINTENANCE ROAD**

WHEREAS, the City of La Crescent has acquired real property that is commonly referred to as the Monte Carlo Road;

WHEREAS, the City of La Crescent will expand the area purchased to allow for pedestrian and bike traffic in the future;

WHEREAS, the City Council determines that this road is used occasionally or intermittently for passenger or commercial travel; and

WHEREAS, the City of La Crescent determines it is in the best interest of the City to designate the road a minimum maintenance road.

NOW THEREFORE BE IT RESOLVED that the City Council for the City of La Crescent determines that the Monte Carlo Road in the City of La Crescent be designated a minimum maintenance road and that the beginning and end points of the roadway are shown on the attached Exhibit A.

Adopted this 23<sup>rd</sup> day of March, 2015.

SIGNED:

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Mayor

ATTEST:

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City Administrator

The foregoing motion was duly seconded by Member Krenz and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

### **ITEM 3.5 – LIABILITY COVERAGE WAIVER**

City Administrator Waller gave an overview to City Council regarding renewing its general liability insurance coverage with the League of Minnesota Cities Insurance Trust and adopting a liability coverage waiver form. The City's insurance agent recommended the City Council not waive the monetary limits as it has done in the past. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

#### **MOTION TO ADOPT THE LIABILITY COVERAGE WAIVER FORM NOT WAIVING THE MONETARY LIMITS FOR THE CITY OF LA CRESCENT'S 2015 GENERAL LIABILITY INSURANCE COVERAGE WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST.**

Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.6 – RESOLUTION TO DECLARE A PROPERTY HAZARDOUS**

City Attorney Wieser reviewed with City Council documents regarding a hazardous building located at 1423 Grandview Court in La Crescent. Included was a draft Resolution and exhibits that have been served on the property owner. The property owner's attorney is seeking a two (2) week extension in order to permit the property owner to obtain quotes to voluntarily remedy the hazardous building. It was recommended to Council to grant the owner this extension and if actions are not followed through prior to the April 13 City Council meeting that they then move forward with the hazardous building action. It was the consensus of Council to forgo action on the Resolution until the April 13 City Council meeting. No action taken.

### **ITEM 3.7 – APPLEFEST SCENIC 5K REQUEST**

City Council reviewed a request from the Race Directors of the Applefest Scenic 5K Run/Walk to hold their 20<sup>th</sup> Annual 5K Run/Walk on Saturday, September 19, 2015, starting at 8:30 a.m. The race will start on Main Street across from Merchant's Bank and finish near the intersection of North Elm Street and McIntosh. The race route will remain the same as last year. They also requested the assistance from La Crescent Police Department and First Responders and stated had added protection of liability insurance. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

#### **MOTION TO APPROVE THE RACE ROUTE FOR THE 20<sup>TH</sup> ANNUAL APPLEFEST SCENIC 5K RUN/WALK ON SEPTEMBER 19, 2015 WITH APPROVAL OF ASSISTANCE FROM LA CRESCENT POLICE DEPARTMENT AND FIRST RESPONDERS.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.8 – PERSONNEL COMMITTEE RECOMMENDATION**

City Administrator Waller gave an overview of the Personnel Committee recommendation that the City Council authorize that the position of Assistant Fire Chief be posted due to Jim Buehler's retirement from the Fire Department. A staffing recommendation would then be presented to the City Council at a future meeting. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

#### **MOTION TO AUTHORIZE THAT THE POSITION OF ASSISTANT FIRE CHIEF FOR THE LA CRESCENT FIRE DEPARTMENT BE POSTED.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.9 – LIONS CLUB REQUEST**

Summer Thorson of the La Crescent Lions Clubs gave an overview to City Council regarding the Lions Club request to use Kistler Park on August 6, 2015 from 4:00 pm to 8:00 pm to celebrate the La Crescent Lions

Club's 50 years of service. They will have a jump house from the Big E Company and be offering free hot dogs, beverages and chips. It was also discussed the possibility of doing in conjunction with the La Crescent Police Department National Night Out. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

**MOTION TO APPROVE THE LA CRESCENT LIONS CLUB USE OF KISTLER PARK ON AUGUST 6, 2015 FROM 4:00 PM TO 8:00 PM TO CELEBRATE THE LA CRESCENT LIONS CLUB'S 50 YEARS OF SERVICE.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.10 – PETITION TO VACATE ALLEY**

City Attorney Wieser reviewed with City Council a petition from Bruce Bauer to vacate a portion of an alley on North 1<sup>st</sup> Street in the City of La Crescent. Council reviewed the petition and map of the area. It was recommended to hold a public hearing on April 27, 2015 at 5:35 p.m. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

**MOTION TO CALL FOR A PUBLIC HEARING ON APRIL 27, 2015 AT 5:35 P.M. FOR THE PROPOSED VACATION FOR A PORTION OF AN ALLEY ON NORTH 1<sup>ST</sup> STREET IN THE CITY OF LA CRESCENT.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 6.1 – STAFF CORRESPONDENCES/COMMITTEE UPDATES – 2014 FIRE DEPARTMENT ANNUAL REPORT**

City Council reviewed the 2014 La Crescent Fire & Rescue Department Annual Report. No action taken.

## **ITEM 8 – CHAMBER OF COMMERCE**

Summer Thorson of the La Crescent Chamber of Commerce reported on upcoming Chamber events including the Houston County EDA Summit and an Open House for Thorson Graphics.

A reminder was given to City Council about the Comprehensive Plan Kick-off Meeting on March 31, 2015 at 7:00 p.m. at Prince of Peace Church in La Crescent.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Hutchinson, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 5:55 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

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Mayor

ATTEST:

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City Administrator